REMARKS

Claims 1, 3 and 5-18 are pending in the above-identified application. In the Office Action of August 19, 2008, claims 1, 3 and 5-18 were rejected. Claims 2 and 4 were previously cancelled and remain cancelled.

In this Amendment, claims 1 and 12-16 are amended and claims 8-10 and 17-18 are cancelled. Accordingly, claims 1, 3, 5-7 and 12-16 remain at issue.

I. 35 U.S.C. § 112 Indefiniteness Rejection of Claims

Claims 17-18 were rejected under 35 U.S.C. § 112, first paragraph. Claims 17 and 18 are cancelled. Therefore, the rejection is moot as to these claims.

Claims 1, 3 and 5-18 also were rejected under 35 U.S.C. § 112, first paragraph.

Claims 1 and 12-18 have been amended taking into consideration the Examiner's request. Claims 3, 5-7 and 11 depend directly or indirectly from claim 1 and are therefore allowable for at least the same reasons that claim 1 is allowable.

Applicant respectfully submits the rejection has been overcome and requests that it be withdrawn.

II. 35 U.S.C. § 102 Anticipation Rejection of Claims

Claims 1, 3, 5 and 11-16 were rejected under 35 U.S.C. § 102(b) as being anticipated by *Kamentsky* (US Pat. No. 4,487,839) (*"Kamentsky"*). Applicant respectfully traverses this rejection.

Claims 17 and 18 have been cancelled. Therefore, the rejections are moot as to those claims.

In relevant part, each of the independent claims 1 and 12-16 recites a sensor device including a sensing portion which extracts plural pieces of information including information

about at least the presence, absence, or distribution of a target via coupling of the target with a detecting portion which is effective to determine if a steric hindrance exists.

This is clearly unlike, *Kamentsky* which fails to disclose or even suggest a sensor device including a sensing portion which extracts plural pieces of information including information about at least the presence, absence, or distribution of a target via coupling of the target with a detecting portion which is effective to determine if a steric hindrance exists. Instead, *Kamentsky* merely teaches that different areas of a surface can be coated with various types of antibodies (US Pat. No. 4,487,839, Col. 4, l. 26-31). *Kamentsky* makes no reference to extracting any type of information much less information effective to determine if a steric hindrance exists.

As the Applicant's specification teaches, by providing a sensor device including a sensing portion which extracts plural pieces of information including information about at least the presence, absence, or distribution of a target via coupling of the target with a detecting portion which is effective to determine if a steric hindrance exists, the sensor can determine which target was the first majority, which target was a first minority and which target increased in quantity over time. See, U.S. Pat. Pub. No 2004/0235055, Para. [0058]. *Kamentsky* cannot do this.

Therefore, because *Kamentsky* fails to disclose claims 1 and 12-16, the rejection as to those claims cannot stand. Because claims 3, 5-7 and 11 depend directly or indirectly from claim 1, they are allowable for at least the same reasons that claim 1 is allowable.

Claims 1, 3, 5-8 and 11-16 were rejected under 35 U.S.C. § 102(b) as being anticipated by *Malmqvist, et al* (US Pat. No. 4,487,839) (*"Malmqvist"*). Applicant respectfully traverses this rejection.

With this amendment, claim 8 is cancelled. Therefore, the rejection is moot as to that claim.

In relevant part, each independent claims 1 and 12-16 recites a sensor device including a sensing portion which extracts information by measuring changes in weight of a detecting portion upon coupling with targets by using one of an oscillating circuit and a frequency measuring device or by a surface plasmon resonance circuit and using the extracted information to determine if a steric hindrance exists.

This is clearly unlike, *Malmqvist* which fails to disclose a sensor device including a sensing portion which extracts information by measuring changes in weight of a detecting portion upon coupling with targets by using one of an oscillating circuit and a frequency measuring device or by a surface plasmon resonance circuit and using the extracted information to determine if a steric hindrance exists. Instead, *Malmqvist* discloses using surface plasmon resonance to determine if a individual monoclonal is blocked from binding because all of the binding sites are filled. See, U.S. Pat. No. 5,492,840, Col. 12, l. 10-55. While *Malmqvist* is directed at determining if a bonding site is filled, it does not make any reference or suggestion to extracting information effective to determine if a steric hindrance exists.

As the Applicant's specification teaches, by providing a sensor device including a sensing portion which extracts information by measuring changes in weight of a detecting portion upon coupling with targets by using one of an oscillating circuit and a frequency measuring device or by a surface plasmon resonance circuit and using the extracted information to determine if a steric hindrance exists, the sensor device can determine which target was the first majority, which target was a first minority and which target increased in quantity over time.

See, U.S. Pat. Pub. No 2004/0235055, Para. [0058]. Since *Malmqvist* examines the status of individual bonding sites only, it is incapable of determining if a steric hindrance exists.

Therefore, because *Malmqvist* fails to disclose or even suggest the features of claims 1 and 12-16, the rejection as to those claims cannot stand. Because claims 3, 5-7 and 11 depend directly or indirectly from claim 1, they are allowable for at least the same reasons that claim 1 is allowable.

Conclusion

In view of the above amendments and remarks, Applicant submits that all claims are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

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